

FIRST REGULAR SESSION

HOUSE BILL NO. 654

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REID.

Read 1st time February 6, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1724L.011

AN ACT

To repeal section 302.302, RSMo 2000, relating to the driver's license point system, and to enact in lieu thereof one new section relating to the same subject.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 302.302, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 302.302, to read as follows:

302.302. 1. The director of revenue shall put into effect a point system for the suspension and revocation of licenses. Points shall be assessed only after a conviction or forfeiture of collateral. The initial point value is as follows:

(1) Any moving violation of a state law or county or municipal or federal traffic ordinance or regulation not listed in this section, other than a violation of vehicle equipment provisions or a court-ordered supervision as provided in section 302.303 2 points
(except any violation of municipal stop sign ordinance where no accident is involved
. 1 point)

(2) Speeding
In violation of a state law 3 points
In violation of a county or municipal ordinance 2 points

(3) Leaving the scene of an accident in violation of section 577.060, RSMo . . 12 points
In violation of any county or municipal ordinance 6 points

(4) Careless and imprudent driving in violation of subsection 4 of section 304.016, RSMo 4 points
In violation of a county or municipal ordinance 2 points

Careless and imprudent driving, whether in violation of state law or county or municipal ordinance, causing a collision with a pedestrian or cyclist, and thereby causing

- 19 **physical injury to the pedestrian or cyclist 6 points**
20 (5) Operating without a valid license in violation of subdivision (1) or (2) of subsection
21 1 of section 302.020:
22 (a) For the first conviction 2 points
23 (b) For the second conviction 4 points
24 (c) For the third conviction 6 points
25 (6) Operating with a suspended or revoked license prior to restoration of operating
26 privileges 12 points
27 (7) Obtaining a license by misrepresentation 12 points
28 (8) For the first conviction of driving while in an intoxicated condition or under the
29 influence of controlled substances or drugs 8 points
30 (9) For the second or subsequent conviction of any of the following offenses however
31 combined: driving while in an intoxicated condition, driving under the influence of controlled
32 substances or drugs or driving with a blood alcohol content of ten-hundredths of one percent or
33 more by weight 12 points
34 (10) For the first conviction for driving with blood alcohol content ten-hundredths of one
35 percent or more by weight
36 In violation of state law 8 points
37 In violation of a county or municipal ordinance or federal law or regulation . 8 points
38 (11) Any felony involving the use of a motor vehicle 12 points
39 (12) Knowingly permitting unlicensed operator to operate a motor vehicle . 4 points
40 (13) For a conviction for failure to maintain financial responsibility pursuant to county
41 or municipal ordinance or pursuant to section 303.025, RSMo 4 points
42 2. The director shall, as provided in subdivision (5) of subsection 1 of this section, assess
43 an operator points for a conviction pursuant to subdivision (1) or (2) of subsection 1 of section
44 302.020, when the director issues such operator a license or permit pursuant to the provisions
45 of sections 302.010 to 302.340.
46 3. An additional two points shall be assessed when personal injury or property damage
47 results from any violation listed in subsection 1 of this section and if found to be warranted and
48 certified by the reporting court.
49 4. When any of the acts listed in subdivision (2), (3), (4) or (8) of subsection 1 of this
50 section constitutes both a violation of a state law and a violation of a county or municipal
51 ordinance, points may be assessed for either violation but not for both. Notwithstanding that an
52 offense arising out of the same occurrence could be construed to be a violation of subdivisions
53 (8), (9) and (10) of subsection 1 of this section, no person shall be tried or convicted for more
54 than one offense pursuant to subdivisions (8), (9) and (10) of subsection 1 of this section for

55 offenses arising out of the same occurrence.

56 5. The director of revenue shall put into effect a system for staying the assessment of
57 points against an operator. The system shall provide that the satisfactory completion of a
58 driver-improvement program or, in the case of violations committed while operating a
59 motorcycle, a motorcycle-rider training course approved by the director of the department of
60 public safety, by an operator, when so ordered and verified by any court having jurisdiction over
61 any law of this state or county or municipal ordinance, regulating motor vehicles, other than a
62 violation committed in a commercial motor vehicle as defined in section 302.700, shall be
63 accepted by the director in lieu of the assessment of points for a violation pursuant to subdivision
64 (1), (2), or (4) of subsection 1 of this section or pursuant to subsection 3 of this section. For the
65 purposes of this subsection, the driver-improvement program shall meet or exceed the standards
66 of the National Safety Council's eight-hour "Defensive Driving Course" or, in the case of a
67 violation which occurred during the operation of a motorcycle, the program shall meet the
68 standards established by the director of the department of public safety pursuant to sections
69 302.133 to 302.138. The completion of a driver-improvement program or a motorcycle-rider
70 training course shall not be accepted in lieu of points more than one time in any thirty-six-month
71 period and shall be completed within sixty days of the date of conviction in order to be accepted
72 in lieu of the assessment of points. Every court having jurisdiction pursuant to the provisions
73 of this subsection shall, within fifteen days after completion of the driver-improvement program
74 or motorcycle-rider training course by an operator, forward a record of the completion to the
75 director, all other provisions of the law to the contrary notwithstanding. The director shall
76 establish procedures for record keeping and the administration of this subsection.